

## Question and Answer Session

Thomas C. Hubbard  
U.S. Ambassador to the Republic of Korea  
and  
General Leon J. LaPorte  
USFK Commander  
U.S. Embassy Information Resource Center  
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**Question:** I am Kevin Kim from the BBC here in Seoul. There have been wide protests expressing anger over the verdict of the court martial. How damaging do you think this has been for bilateral relations between South Korea and the United States? Has it been more damaging than anything else?

**Ambassador Hubbard:** We recognize that the Korean people are very disappointed in this verdict, and that many Korean people are in fact angry about it. We understand that, but we also think that our relationship is extremely important. It goes beyond accidents of this kind, tragic though they may be. We continue to have many common interests, including the common interest in security that is reflected in our defense alliance. We hope that by meeting with you today, by speaking in as many ways as we can to the Korean public, that we can build a greater understanding of this, a greater understanding on the part of the Koreans of the depth of our remorse and of our sense of responsibility to prevent accidents like this in the future. I am confident that our relationship will remain strong.

**General LaPorte:** In instances where you have an accident and there are tragic consequences, good neighbors hold together, and they see the opportunities to reinforce and enhance their relationships. We see this opportunity here to improve our procedures and the way we conduct training, and to improve our relationships with the ROK military units and also the great Korean people who support our opportunities for training. So it's very tragic that we've had this accident, but we must all learn from it and continue to grow as an alliance.

**Question:** Yoo Jae Hun from Hankyoreh Newspaper. Many Korean people have doubts about the recent verdict. They are questioning, "Then who killed these two girls?" The trial has ended, and the verdict seems to say that nobody is responsible for this case. So if this verdict has been concluded based on lack of evidence, then can we not say that the U.S. prosecutor has not done a good job in terms of investigating the case? That is my first question. Secondly, after this incident has taken place, I understand that the U.S. and ROK SOFA Joint Committee agreed to come up with specific measures to enhance the security environment and enhance U.S.-ROK cooperation when U.S. soldiers are responsible for crimes in Korea. However, two months have already passed and no such SOFA Joint Committee meeting has been convened so far, and no specific agreements have been reached so far. Why is this?

**Ambassador Hubbard:** Let me try to answer your first question, and then perhaps General LaPorte can answer the second one. It is quite clear that U.S. soldiers operating a tank during a combined exercise on a public road in Korea killed those two young girls. We take responsibility for that. The question is, does that constitute a deliberate act of murder? No, of course it didn't. Did it constitute a negligent act? Well, the jury in this military judicial proceeding concluded that, no, it wasn't a negligent act. It was a terrible accident, a tragic accident, but not one caused by intent or by negligence.

**General LaPorte:** The Status of Forces Agreement is a mutual agreement between two countries. The agreement that the United States has with South Korea is very similar to the agreement that we have with over 100 other countries, and is very similar to the agreement that South Korea has with countries where you have service members serving overseas. As the Ambassador mentioned, the purpose is to ensure that those service members have an opportunity to be tried under their home nation's laws. The Joint Committee on SOFA needs to continuously review and reflect on the provisions of SOFA. Last year the SOFA was completely reviewed, and both of our countries agreed to

it. But that doesn't mean we shouldn't continually look at improvements, and make sure that SOFA represents the needs and requirements of both our nations. So we need to continue to do this.

**Question:** Don Kirk of the International Herald Tribune (question inaudible).

**General LaPorte:** The Second Infantry Division chain of command is still evaluating the circumstances associated with the movement of the convoy and also the roles of the chain of command in the convoy movement. They have not determined what, if any, actions will be taken. And I cannot make any recommendations because according to U.S. law, that would be considered inappropriate command influence.

**Question:** Lim Young Suk of Singapore Channel News Asia. There are different reports out that perhaps the U.S. soldiers would be imposed some kind of curfew or warnings to not go out at night or perhaps over the weekend. Could you comment on that? Are there plans to impose some kind of curfew with this rise in anti-U.S. protests recently?

**General LaPorte:** The United States and the Republic of Korea are two wonderful democracies and we share strong desires for our freedoms and our liberties, and all the values of a democracy. And as such, we take the freedom of speech and the freedom to gather very seriously. And I am encouraged that young Koreans can state their views publicly and can gather and express their views. I think the Ambassador and I support that fully. Our only concern is when the expression of these views has violent overtones where personal safety and property are at risk. As the commander of all U.S. forces in Korea, to include all the family members, I have a responsibility to insure the safety of the service members and their families. I take that responsibility very seriously, and I am continuing to review what force protection measures are necessary. My desires are only to allow people to be safe. If required, I will have to initiate some actions so we can insure that our service members and family members are not exposed to violence.

**Ambassador Hubbard:** Let me just add to that, that I share General LaPorte's concern about the safety of our military personnel and their families as well as of other Americans in Korea. Yesterday President Kim Dae-jung spoke out very strongly against violence directed at Americans and other foreigners, and urged that the police take very strong measures. We are grateful for that statement. It is very supportive of our concerns.

**Question:** Lee Hung Cheol from KBS. I'd

like to address a question to General LaPorte. General LaPorte, as you answered the question, you mentioned about the command relationship, the chain of command on the 2-ID, and you mentioned that 2-ID is taking appropriate measures to review what happened with the convoy, and you said that it would be inappropriate for you to make any recommendations because U.S. law does not allow a higher commander to get involved in this. It sounds to me like a higher commander cannot hold administrative responsibility to his subordinate commander, such as the company commander or battalion commander. I'd like to hear your opinion about this. My second question is about the Stars & Stripes - a corporal that was a very close distance to the incident wrote an article and he even said that the situation was very reckless and that commanders can be responsible for this accident. I'd like to hear your opinion about this.

**General LaPorte:** First let me clarify our legal procedures. Commanders cannot put pressure on subordinate commanders relative to any non-judicial punishment or courts martial that subordinates may be involved in. If a superior commander did that, that would be prejudicial in terms of influence. Senior commanders have responsibilities for developments of policies and procedures to insure the conduct of safe operations. Immediately following the accident, I have been very much involved in directing and establishing policies, both with the Ministry of National Defense and within USFK, policies that address the issues of communications in vehicles, that address the movement of converging convoys on the same road, addressing the issues of command and control of convoys, addressing the issues of what road we should or should not use to move, addressing the sizes of vehicles that are used on the roads, and which should not be used. The vehicle that was involved in the accident, I established a policy that they can no longer be driven on a Korean highway. They must be carried on another vehicle to the training grounds. So I have been very much involved with the establishment of

policies and procedures.

In terms of the article written by the specialist, I read that article. That is that one individual's perception of the conditions that were existing at that time. There are many other perceptions, and he is not necessarily in the leadership position where he would have all the information available in terms of what commands were given and what directions were given. I am interested in what he said. I am especially interested in the rest policy to ensure that our soldiers have adequate rest before they drive on the roads and fly helicopters. So that is something that I have the commanders reviewing now.

**Question:** Lee Jong Nam of the Los Angeles Times. Do you have in your mind any doubt if these two soldiers were tried in Korean court they would be found guilty. I am asking this because in SOFA agreement, in the 2001 revision, you agreed to allow Korean authorities to take custody of suspects after indictment (sic). In the attachment you put four preconditions, one of which was Korean officials must prove there is a need to take custody of a suspect, and this prevented the trial in Korean court, I believe, which clause you don't have in SOFA agreement with Germany or Japan, so there is an outcry for another revision of SOFA in Korea. Do you believe the time has come to take another review of the SOFA agreement?

**Ambassador Hubbard:** Sir, I believe the provision you are talking about applies only in cases where the individual concerns are not on duty. I have worked with the SOFA in Japan quite extensively and with other SOFAs around the world, and I believe in this case the SOFA in Japan would have worked absolutely identically to the way the SOFA here works.